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## In Memoriam

On Thursday, February 7th, 1935, at a session of the Court of Appeals, memorial exercises were held in honor of the late Judge Glenn H. Worthington, of Frederick, a former member of the Court, and of the late Judge W. Mitchell Digges, a member of the Court at the time of his death. Addresses were delivered by Hon. Herbert R. O'Connor, the Attorney General, and by other members of the bar, and Chief Judge Bond responded on behalf of the Court. The various addresses follow:

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### THE ATTORNEY GENERAL:

It becomes my sad duty to report to your Honors the death of the Honorable Glenn H. Worthington, who departed this life on August 7th, 1934.

Having enjoyed the distinction of serving both as the Chief Judge of the Sixth Judicial Circuit, and as Associate Judge thereof, Judge Worthington contributed generously of his talents and of his energies toward the maintenance of the high standards of the profession upon the highest possible level.

Through successive services, in the field of education in his native county, as an equity examiner of the Court, as state's attorney, and later in the exalted position of Judge, this distinguished gentleman left record of achievements which remains as a lasting monument to him.

It is significant to note that Judge Worthington's abilities as a jurist were highly appreciated by his fellow-citizens, as is illustrated by the fact that, having given evidence of his qualifications to discharge the important functions of the judicial office, in filling out the unexpired term of his predecessor, the late Chief Judge James McSherry, he was later elected to the judgeship. These successive services constitute a full measure of confidence and esteem, and represent the very highest of human tributes.

In contemplating the outstanding part taken by the late Judge Worthington in the effort to continue the advancement of the law in our civilization, and with an appreciation of the value of his work in the tribunals of his county, of the Sixth Circuit, and indeed of the entire State, the eloquent words of Webster in portraying the part played by Mr. Justice Story in the cause of law and order, occur to mind. He said:

"Justice is the great interest of man on earth. It is the ligament which holds civilized beings and civilized nations together. Wherever her temple stands and is duly honored, there is a foundation for social security, general happiness, and the improvement and progress of our race. And whoever labors on this edifice with usefulness and distinction, whoever clears its foundations, strengthens its pillars, adorns its entablatures or contributes to raise its august dome still higher in the skies connects himself, in name, and fame and character with that which is and must be as durable as the frame of human society."

On behalf of the Bar of Maryland, I respectfully move that an appropriate minute be recorded by this Honorable Court that will make lasting record of the distinguished service of Judge Worthington, as well as of our deep sense of loss at his passing.

With the Court's permission, I should like now to invite the remarks of Hon. John S. Newman, of the Frederick County Bar.

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HON. JOHN S. NEWMAN:

Glenn H. Worthington was a son of John T. Worthington, a prominent citizen and farmer of Frederick County, and was born on the 22nd day of April, 1858. He died on the 7th day of August, 1934.

His boyhood was spent on his father's farm, and he was educated in the public schools of the county and at the old Frederick Academy. He subsequently attended lectures in the Baltimore School of Law of the University of Maryland, from which he graduated in May, 1887. He was admitted to the Bar January 4, 1888. Prior to begin-

ning the study of law he acquired some experience in business affairs, as an employee of a wholesale establishment, and in the office of a large insurance company in the City of Chicago. Returning to Frederick County, he for several years was employed as a teacher in one of the public schools; then, to further his ambition to become a lawyer, in one of the grammar schools of Baltimore City, whereby he was able while so engaged to study law, attend law lectures, and earn the necessary means to defray the costs of his legal education; an achievement of which he was always proud.

In January, 1888, he was appointed school examiner for Frederick County, and as such, for nearly four years, rendered approved and satisfactory service. He resigned August 31st, 1891, to engage actively in the practice of his profession.

On April 30th, 1890, he married a daughter of the late Honorable Richard H. Alvey, a former Chief Judge of this Court. They were the parents of six children, three boys and three girls, all of whom (except one son who died in infancy) are now living.

Well grounded in legal and equitable principles, and matters of practice, industrious, persistent, and with a pleasing personality, his practice gradually increased; and in 1899 he was elected state's attorney for Frederick County. This office he filled with credit to himself and to the satisfaction of the Court and public. He was subsequently appointed a member of the State Board of Education and for several years rendered efficient service in that capacity.

In November, 1907, he was appointed by Governor Warfield, Chief Judge of the Sixth Judicial Circuit, to fill out the unexpired term, caused by the death of the late Chief Judge James McSherry, Chief Judge not only of the Circuit but of this Court.

The appointment, under our Constitution, made Judge Worthington a member of this, the court of last resort in this State. He served as such judge with ability and industry until the fall of 1909, when he was succeeded by the Honorable Hammond Urner, who has since been Chief Judge of the Circuit and a member of this Court.

Judge Worthington then resumed and continued the practice of his profession until the fall of 1912, when he was elected an associate judge of the Circuit, in succession to the late Judge John C. Motter, whose term had expired.

As such associate, Judge Worthington served faithfully, industriously and ably until the expiration of the fifteen year term, in the fall of 1927. His age at that time practically precluded him under the laws of the State from further judicial service. He then resumed the practice of law, which he continued to the time of his death; but he devoted a large portion of his remaining years to a study of, and setting forth and emphasizing, the great importance of the Battle of the Monocacy, during the Civil War.

His father's farm, his home at the time, was a portion of the ground over which the battle was fought, of incidents of which he retained a vivid recollection; and that the true significance of that fight might be fully comprehended, and to prove its great importance in preventing the capture and occupation of the national capital by the Confederate forces, he wrote, and there was published, in 1932, a book which he entitled "Fighting for Time," for which he was justly accorded much credit and praise.

He was frank, outspoken almost to a fault, and one of his chief characteristics was persistency. When he took a stand which he believed to be right, or sought to accomplish something he thought worth while, no amount of discouragement seemed to dampen his ardor or prevent further efforts to reach his goal.

Judge Worthington's fine qualities of heart and mind, his Christian character (he was for a number of years, and to the time of his death, a vestryman of All Saints' Episcopal Parish in Frederick County), his knowledge of the law, his human understanding, his industry, persistency, and unimpeachable honesty and integrity endeared him to the members of the Bar and to his host of friends.

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MR. GEORGE H. LAMAR:

It is esteemed a privilege to be permitted, as a member of the Bar of Montgomery County, to add a word of trib-

ute to the memory of Judge Worthington. In addition to his creditable service as a member of the bench of this, our Court of Appeals, he endeared himself to the Bar and the citizenry of Montgomery County, as an Associate Judge of the Sixth Judicial Circuit, in the performance of exacting and untiring duties for a term of fifteen years.

Prior to the beginning of this term, it was my pleasure to know him as a member of the State Board of Education and to catch the self-sacrificing spirit and altruistic vision which then characterized his efforts for the advancement of the cause of public education in Maryland.

Modest and deferential toward others, as a man and as a citizen, he was purposeful, painstaking, and persistent in the furtherance of those objects in life which he deemed to be worth while, whether they came within the realm of his profession, official duties, or the field of civic endeavor.

Since the territorial separation of the two counties of Frederick and Montgomery in 1776, aside from the common heritage itself, no other one influence has had so much to do with keeping alive the mutual interest and good feeling among the citizens of the two counties as has the existence of a judiciary common to both.

From the vantage ground of distinguished lawyers and men of character who had preceded him on our Bench, Judge Worthington readily attained the confidence and esteem not only of the members of the Montgomery County Bar and his associates on the Bench, but also the citizens of our county at large.

It is a source of pleasure and gratification to the members of our Bar that, while he was yet living and at the time of his retirement, the Bar and Bench concurred in doing honor to this man whom we loved. The regret is that no record remains of the expressions voiced on that occasion, except the notes (on the back of an envelope) of the lofty tribute paid to Judge Worthington by his associate, Judge Robert B. Peter, of Montgomery County. This tribute began thus: "Consulting chambers lay the soul bare," and ended with the expression, "severance of our official relations a real sorrow." Judge Worthington's judicial traits were truly characterized by Judge

Peter as "courteous, patient and just"; that he "knew neither parties nor attorneys"; and that his "sole object was to find the truth, and then apply the law."

In attaining these ends, he was aided by an exceptional knowledge of human nature.

His retirement from the bench did not bring to a close his labors or his usefulness. His boyhood vision of the conflict at Monocacy so held his interest that he spent his declining years in investigating the facts, and embodying, in his most excellent book, "Fighting for Time," the historic significance and importance of the Battle of Monocacy.

In the passing of Judge Worthington, the Sixth Judicial Circuit has lost one of its most distinguished and useful citizens, and the Bench a just and upright judge.

We of the Montgomery County Bar shall ever cherish his friendship and revere his memory.

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#### THE ATTORNEY GENERAL:

I rise to announce formally to the Court, with profound sorrow, the death of the Honorable W. Mitchell Digges, Chief Judge of the Seventh Judicial Circuit, who died at his home in La Plata, Charles County, on October 15th, 1934.

A native son of Charles County, Judge Digges practiced his profession in Southern Maryland, and later served his State as a member of the General Assembly. Subsequently, by appointment of the President of the United States, he occupied the position of Naval Officer of the Port of Baltimore. From the year 1923 until his death, he served as the Chief Judge of the Seventh Judicial Circuit.

In approaching the attempt to voice our tribute of respect to his memory, we realize fully that our words are inadequate to describe the admiration and affection held for Judge Digges by the entire Bar of the State of Maryland. He was the personification of justice. His knowledge of legal principles was thorough and sound; his judgment impartial and safe; his temperament conservative and judicial.